
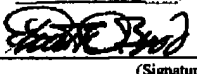


<b>AMENDMENT TRANSMITTAL LETTER</b>				ATTORNEY'S DOCKET NO.: 0045-1	
SERIAL NUMBER: 10/077,521	FILING DATE: February 15, 2002	EXAMINER: Sharmila S. Gollamudi	GROUP ART UNIT: 1616		
INVENTION:					
<b>TOPICAL APPLICATION FOR TREATING TOENAIL FUNGUS</b>					
INVENTOR(s): James E. Brehove					
TO THE ASSISTANT COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.					
<b>CLAIMS AS AMENDED</b>					
(1)	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) NO. OF EXTRA CLAIMS PRESENT	(6) RATE
TOTAL CLAIMS	2	MINUS	20	0	X \$9
INDEP. CLAIMS	1	MINUS	3	0	X \$43
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$ 0.00
<p>* If the entry in column 2 is less than the entry in column 4, write "0" in column 5.  ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.</p> <p><input checked="" type="checkbox"/> No additional fee is required.</p> <p><input type="checkbox"/> Charge \$ _____ to Deposit Account No. _____. A triplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> The undersigned petitions for any extension of time for filing this document required under 37 C.F.R. 1.136.  A check for \$ _____ to cover the fee is submitted herewith. _____.</p> <p><input type="checkbox"/> A triplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> Charge any additional fees to Deposit Account No. _____.</p>					
<u>June 7, 2004</u> Date			 Signature		
<u>(908) 901-0220</u> Phone			<u>Ernest D. Buff</u> Attorney Name		
<u>25,833</u> Reg. Number			<u>25,833</u> Reg. Number		
I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, PO Box 1450, Arlington, VA 22313-1450 via facsimile transmission number (703) 872-9306 on <u>June 7, 2004</u> .					
 (Signature)					
<u>Ernest D. Buff</u> Attorney of Record					
<u>June 7, 2004</u> (Date)					

Attorney Docket No.: 0045-1

PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re application of: James E. Brehove      Group Art Unit: 3492  
Serial No.: 10/077,521      Examiner: Sharmila S. Gollamudi  
Filed: February 15, 2002  
For: **TOPICAL APPLICATION FOR TREATING  
TOENAIL FUNGUS**  
Matter No.: 0045-1

RECEIVED  
CENTRAL FAX CENTER

JUN 07 2004

231 Somerville Road  
Bedminster, NJ 07921  
June 7, 2004

## FACSIMILE MAIL

Facsimile Mail To: (703) 872-9306

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT UNDER 37 C.F.R. § 1.116**

In response to the Office Action dated March 17, 2004, kindly amend the  
above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on  
page 2 of this paper.

**Remarks/Arguments** begin on page 3 of this paper.